

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
	:	Examiner: A. Mai
MASAKI SUZUI)	
	:	Group Art Unit: 2832
Application No.: 10/729,945)	
	:	
Filed: December 9, 2003)	
	:	
For: ELECTRICAL DEVICE AND)	
METHOD OF PRODUCING	:	
THE SAME)	November 15, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION UNDER 37 C.F.R. § 1.181 TO
WITHDRAW HOLDING OF ABANDONMENT
BASED ON NON-RECEIPT OF OFFICE ACTION

Sir:

This is a Petition under 37 C.F.R. § 1.181 to withdraw a holding of abandonment in the subject application. While it is believed that no fee is necessary for this Petition, should a fee be required, the Director is hereby authorized to charge any such fee to Deposit Account No. 50-3939.

The Examiner responsible for the above-identified application contacted Petitioner's representative to inquire whether Petitioner intended to abandon the application, since a response to an Office Action that was mailed on February 28, 2006 has not been received by the Patent Office. The undersigned telephoned the Examiner and informed her that Petitioner never intended to abandon the application and that a cursory review of the case file revealed that Petitioner never received the Office Action.

A search of the file jacket and docket records was then undertaken, which confirmed that Petitioner never received the Office Action. The undersigned informed the Examiner of the search results. The Examiner indicated she would issue a notice of abandonment, and suggested Petitioner file this Petition in response, to withdraw the abandonment of this case.

In support of the Petition, the undersigned hereby states that the February 28, 2006 Office Action was not received, and that a search of the file jacket of the above-identified case and of the docket record indicates that the Office Action was not received. In addition, transmitted herewith are copies of the Firm's docket record, attached as Exhibit A. The docket record shows responses due on May 28, 2006, and indicates that no response was due on that date for Application No. 10/729,945, which would correspond to an Office Action with a mailing date of February 28, 2006. Portions of the serial numbers listed in the docket record have been redacted to maintain confidentiality; however, the last few numbers of each serial number remain visible and are circled for easy comparison with the subject application number.

Pursuant to the decision in *Delgar v. Schulyer*, 172 U.S.P.Q. 513 (D.D.C. 1971), as modified by MPEP § 711.03(c)(I)(A), Petitioner hereby petitions under 37 C.F.R. § 1.181 to revive the subject application and respectfully requests a new Office Action be mailed which sets a new period for response that commences from the date on which the new Office Action is mailed.

Petitioner's undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

/Gregory S. Weaver/

Gregory S. Weaver
Attorney for Petitioner
Registration No. 53,751

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200

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EXHIBIT A

MASTER DOCKET - From 051706 to 060606

Due Date	Docket Number	Attorney	Action	Application No
5/28/2006 Remarks	[REDACTED]	X	[REDACTED]	[REDACTED] 9018
5/28/2006 Remarks	[REDACTED]	X	[REDACTED]	[REDACTED] 9020
5/28/2006 Remarks	[REDACTED]	X	[REDACTED]	[REDACTED] 904
5/28/2006 Remarks	[REDACTED]	X	[REDACTED]	[REDACTED] 272
5/28/2006 Remarks	[REDACTED]	Done As FS 5-30-06		[REDACTED] 9014

MASTER DOCKET - From 051706 to 060606

Due Date	Docket Number	Attorney	Action	Application No
5/28/2006	REDACTED	REDACTED	Information Disclosure Statement Due	REDACTED
Remarks	REDACTED			
5/28/2006	REDACTED	REDACTED	Information Disclosure Statement Due	332
Remarks	REDACTED			
5/28/2006	REDACTED	REDACTED	Information Disclosure Statement Due	REDACTED
Remarks	REDACTED			
5/28/2006	REDACTED	REDACTED	Information Disclosure Statement Due	108
Remarks	REDACTED			
5/28/2006	REDACTED	REDACTED	Information Disclosure Statement Due	114
Remarks	REDACTED			
5/28/2006	REDACTED	REDACTED	3 month Office Action initial deadline	15
Remarks	REDACTED			
5/28/2006	REDACTED	REDACTED	Information Disclosure Statement Due	963
Remarks	REDACTED			
5/28/2006	REDACTED	REDACTED	Information Disclosure Statement Due	9624
Remarks	REDACTED			

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3 month Office Action initial deadline

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Due Date	Docket Number	Attorney	Action	Application No
5/28/2006	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED]
Remarks	[REDACTED] on 5/28/06 JLR			
5/28/2006	[REDACTED]	[REDACTED]	3 month Office Action initial deadline	[REDACTED]
Remarks	[REDACTED]			
5/28/2006	[REDACTED]	[REDACTED]	Drawings Correction Due	[REDACTED]
Remarks	[REDACTED] see above			
5/28/2006	[REDACTED]	[REDACTED]	3 month Office Action initial deadline	[REDACTED]
Remarks	[REDACTED]			
5/28/2006	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED]
Remarks	[REDACTED]			
5/28/2006	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED]
Remarks	[REDACTED]			
5/28/2006	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED]
Remarks	[REDACTED]			

MASTER DOCKET - From 051706 to 060606

Due Date	Docket Number	Attorney	Action	Application No
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 354
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 3823
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 3453
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 387
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 282
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 83
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 3355
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 3625

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Due Date	Docket Number	Attorney	Action	Application No
5/28/2006	REDACTED	REDACTED	Information Disclosure Statement Due	REDACTED 31
5/28/2006	REDACTED	REDACTED	REDACTED	REDACTED
5/28/2006	REDACTED	REDACTED	REDACTED	REDACTED
5/28/2006	REDACTED	REDACTED	Information Disclosure Statement Due	REDACTED 586
5/28/2006	REDACTED	REDACTED	Information Disclosure Statement Due	REDACTED 638
5/28/2006	REDACTED	REDACTED	Information Disclosure Statement Due	REDACTED 1370
5/28/2006	REDACTED	REDACTED	Notice to File Missing Parts Initial Deadline	REDACTED 1402
5/28/2006	REDACTED	REDACTED	Information Disclosure Statement Due	REDACTED 1772
5/28/2006	REDACTED	REDACTED	PCT - Initial Prelim Exam Request	REDACTED 699

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Due Date	Docket Number	Attorney	Action	Application No
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	3507
5/28/2006 Remarks	[REDACTED]	[REDACTED]	FINAL 3 month Office Action 3 month	3507
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	4944
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	830
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	2677
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	9554
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Renewal Grace Period	1624
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	1626

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Due Date	Docket Number	Attorney	Action	Application No
5/28/2006 Remarks	██████████	██████████	Information Disclosure Statement Due	██████████ 3930
5/28/2006 Remarks	██████████	██████████	Information Disclosure Statement Due	██████████ 964
5/28/2006 Remarks	██████████	██████████	Information Disclosure Statement Due	██████████ 2676
5/28/2006 Remarks	██████████	██████████	Information Disclosure Statement Due	██████████ 4947
5/28/2006 Remarks	██████████	██████████	Information Disclosure Statement Due	██████████ 3674
5/28/2006 Remarks	██████████	██████████	Information Disclosure Statement Due	██████████ 4134
5/28/2006 Remarks	██████████	██████████	Information Disclosure Statement Due	██████████ 3631
5/28/2006 Remarks	██████████	██████████	Information Disclosure Statement Due	██████████ 3506

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Due Date	Doc# Number	Attorney	Action	Application No
Remarks	5/28/2006	[REDACTED]	DCP-14th Prelim Exam Request	36704
Remarks	5/28/2006	[REDACTED]	2 month Office Action initial deadline	36706
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	3854
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	3704
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	2671
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	493
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	522
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	446

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Due Date	Docket Number	Attorney	Action	Application No
5/28/2006	051706	Booker A	Foreign Filing 1 month reminder	930
5/28/2006	Remarks			
5/28/2006	Remarks	051706	Information Disclosure Statement Due	718
5/28/2006	Remarks	051706	Power of attorney due to be filed	238
5/28/2006	Remarks	051706	Power of attorney due to be filed	807
5/28/2006	Remarks	051706	Power of attorney due to be filed	748
5/28/2006	Remarks	051706	Power of attorney due to be filed	728
5/28/2006	Remarks	051706	Power of attorney due to be filed	240
5/28/2006	Remarks	051706	Information Disclosure Statement Due	942

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Due Date	Docket Number	Attorney	Action	Application No
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 856
5/28/2006 Remarks	03456 [REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 563
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 931
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 023
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 832
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 202
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 777
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 323

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Due Date	Docket Number	Attorney	Action	Application No
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 877
5/28/2006 Remarks	01 [REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 041
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 136
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 188
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 159
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 158
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 165
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 698

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2 month Office Action initial deadline

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Due Date	Docket Number	Attorney	Action	Application No
5/28/2006 Remarks	N [REDACTED]	[REDACTED]	Power of attorney due to be filed	[REDACTED] 754
5/28/2006 Remarks	S [REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 140
5/28/2006 Remarks	S [REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 140
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Notice to file - Missing Part Initial Deadline	[REDACTED] 140
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Notice to file - Missing Part Initial Deadline	[REDACTED] 140
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Power of attorney due to be filed	[REDACTED] 3233
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Power of attorney due to be filed	[REDACTED] 701
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 7299

11006 - 1st Second filing;

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5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 697
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 697
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 697
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 874
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 372
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 781
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 107
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED]

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Due Date	Docket Number	Attorney	Action	Application No
5/28/2006 Remarks	[REDACTED] (to DS)	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 256
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 349
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 7182
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 206
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 288
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 371
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	[REDACTED] 2034
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Power of attorney due to be filed	[REDACTED] 3439

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Due Date	Docket Number	Attorney	Action	Application No
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	639
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	628
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	657
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	648
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	632
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	659
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	639

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3 months Office Action initial deadline

Drawings Correction Due

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Due Date	Docket Number	Attorney	Action	Application No
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	434
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	453
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	376
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	623
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	648
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due	703
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due on 5/24/06	822
5/28/2006 Remarks	[REDACTED]	[REDACTED]	Information Disclosure Statement Due on 5/30/06	999

3 month Office Action initial deadline